

21 MAG 6595

Approved: Samuel L. Raymond
 SAMUEL RAYMOND
 Assistant United States Attorney

ORIGINAL

Before: HONORABLE DEBRA FREEMAN
 United States Magistrate Judge
 Southern District of New York

- - - - -	x	
	:	<u>SEALED COMPLAINT</u>
UNITED STATES OF AMERICA	:	
	:	Violation of
- v. -	:	18 U.S.C. §§ 1343, and 2
	:	
ANGEL PEREDA,	:	COUNTY OF OFFENSE:
a/k/a "Angel Luis Pereda Eguiluz,"	:	NEW YORK
	:	
Defendant.	:	

- - - - - X

SOUTHERN DISTRICT OF NEW YORK, ss.:

CHRISTOPHER McKEOGH, being duly sworn, deposes and says that he is a Special Agent with the Federal Bureau of Investigation, and charges as follows:

COUNT ONE
 (Wire Fraud)

1. In or about 2020 and 2021, in the Southern District of New York and elsewhere, ANGEL PEREDA, a/k/a "Angel Luis Pereda Eguiluz," the defendant, willfully and knowingly, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations, and promises, did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds, for the purpose of executing such scheme and artifice, to wit, PEREDA, in an effort to facilitate the sale of a forgery of a painting purportedly by the deceased artist Jean-Michel Basquiat, knowingly provided false provenance information for that painting, which PEREDA intended to be used as proof of the

painting's authenticity.

(Title 18, United States Code, Sections 1343 and 2.)

The bases for my knowledge and for the foregoing charges are, in part, as follows:

2. I am a Special Agent with the Federal Bureau of Investigation ("FBI"), and have been so employed for approximately eighteen years. I have been personally involved in the investigation of this matter. This affidavit is based upon my personal participation in the investigation, my conversations with other law enforcement officers and other individuals, and my examination of reports and records. Because this affidavit is being submitted for the limited purpose of establishing probable cause, it does not include all of the facts that I have learned during the course of my investigation. Where the contents of documents and the actions, statements, and conversations of others are reported herein, they are reported in substance and in part, except where otherwise indicated.

3. In 2021, I was alerted that two individuals ("Individual-1" and "Individual-2") had been attempting to sell artwork supposedly created by prominent, deceased artists, including Jean-Michel Basquiat and Keith Haring, that were determined not in fact to be created by those artists. From my review of records provided by certain auction houses and/or intended victims of the scheme described herein, I have identified several works purportedly created by Basquiat, Haring, or other prominent artists, but which are in fact fakes. Among the prior owners of these works, as listed in documents provided to potential purchasers or galleries in connection with the sale of these forgeries, is the name "Angel Pereda," i.e., ANGEL PEREDA, a/k/a "Angel Luis Pereda Eguiluz," the defendant, or his family. For example:

a. I have communicated with an employee at an auction house based in New York, New York ("Auction House-1"), who was approached in late 2020 by Individual-2, who was offering to sell a vase purportedly created by Keith Haring. Individual-2 provided provenance paperwork which listed the "Pereda Family, Mexico" as the previous owner. Based on information obtained from a representative of the Keith Haring Foundation, the organization devoted to, among other philanthropic missions, the maintenance of an archive of material relating to Haring's life and works, that

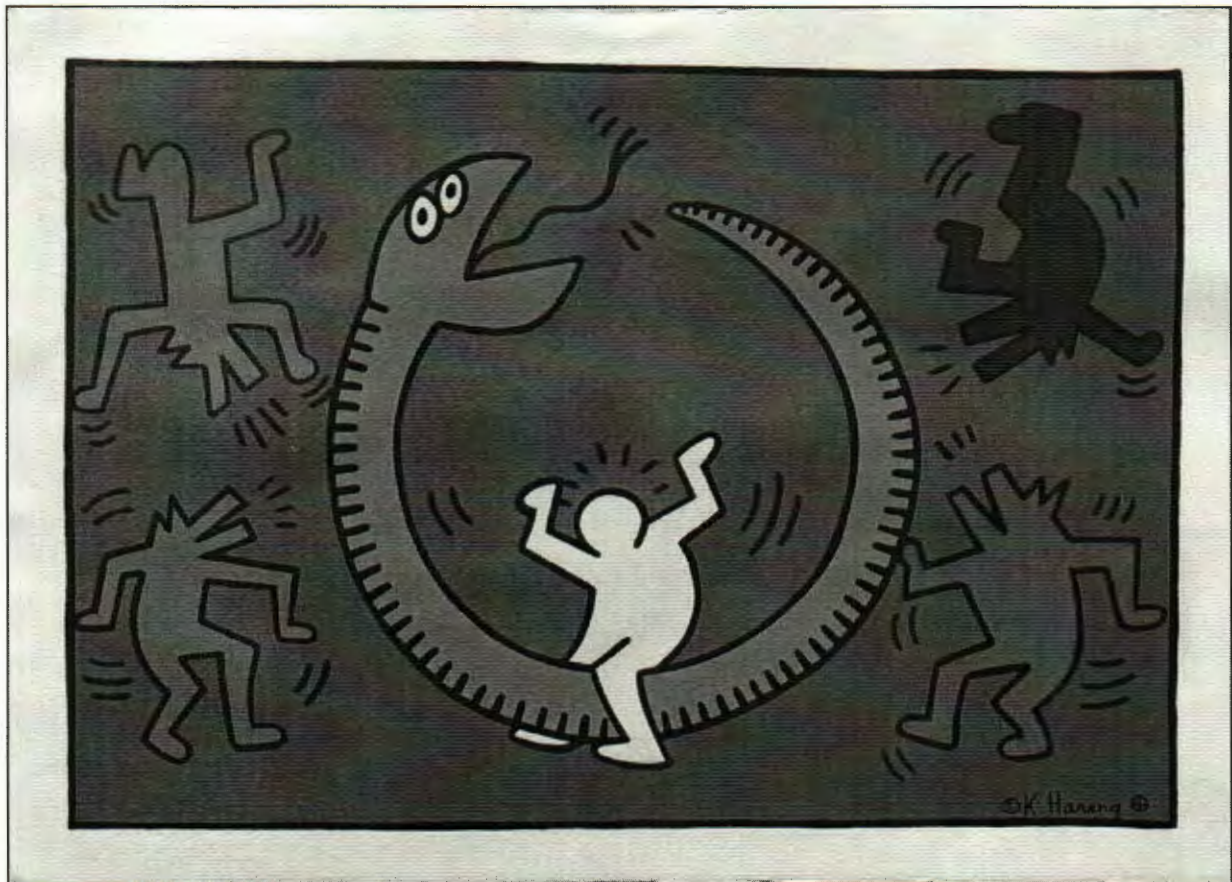
3

the vase was not in fact created by Keith Haring. A photograph of the vase is below:



4

b. I have communicated with an employee at a different auction house based in New York, New York ("Auction House-2"), who was approached by an individual ("Individual-3") who stated that Individual-3 was attempting to sell multiple works of art on behalf of the works' purported owner "Angel Pereda." One of those works of art was a painting, supposedly by Keith Haring. A representative of the Haring Foundation has confirmed that the work is not, in fact, by Haring. A photograph of the painting is below:



5

c. On behalf of Pereda, Individual-3 also offered Auction House-2 a painting, purportedly a collaboration between Jean-Michel Basquiat and Keith Haring, by Individual-3. A photograph of the purported collaboration is below:



4. In the course of this investigation, I have reviewed bank records which show that Individual-1 and Individual-2 wired thousands of dollars to an account held in the name of "Angel Luis Pereda Eguiluz," residing at an address in San Pedro Cholula, Puebla, Mexico, from a bank account located in the Southern District of New York. According to the bank records, Individual-2 informed the bank that the purpose of at least one of these transfers from the Southern District of New York to Angel Luis Pereda Eguiluz was "purchasing a painting." I have also reviewed publicly available information including news articles referring to an apparent recent municipal election, indicating that ANGEL PEREDA, the defendant, is also sometimes known as Angel Luis Pereda Eguiluz, and publicly available information, namely a

6

website describing businesses located in Mexico that show that PEREDA, the defendant, lives at the same address in San Pedro Cholula, Puebla, Mexico.

5. In the course of this investigation, I have approached and interviewed Individual-1 regarding the series of forgeries linked to Angel Pereda. From those interviews, I have learned that ANGEL PEREDA, a/k/a "Angel Luis Pereda Eguiluz," the defendant, had previously consigned to Individual-1 a painting, entitled "Glory Boys Kingdom," which PEREDA had represented as having been painted by Jean-Michel Basquiat. A photograph of this painting, referred to herein as "GBK," is below:



6. I have reviewed communications exchanged between Individual-1 and ANGEL PEREDA, a/k/a "Angel Luis Pereda Eguiluz," the defendant, who was using a telephone number ending in -1176 (the 1176 Number).¹ These communications were in Spanish; I have

¹ In addition to information provided by Individual-1, I believe that ANGEL PEREDA, a/k/a "Angel Luis Pereda Eguiluz," the defendant, uses the 1176 Number, for the following reasons, among others: I have reviewed information from the State Department, in which PEREDA in or about December 2014 scheduled an appointment to obtain a visa to travel to the United States, and listed the 1176 Number as a method of contact; I have

7

reviewed each communication with a law enforcement agent fluent in that language:

a. On or about June 23, 2021, Individual-1, acting at the direction of the FBI, contacted PEREDA on the 1176 Number, while Individual-1 was located in the Southern District of New York, and informed PEREDA that Individual-1 had been informed by an art gallery that GBK was a fake and that it had not in fact been painted by Basquiat.

b. Individual-1, still acting at the direction of law enforcement, informed PEREDA that, despite the fact that GBK was a fake, Individual-1 would attempt to resell GBK, and that Individual-1 had a potential buyer who had offered to purchase GBK for more than \$6 million. Individual-1 told PEREDA that because GBK was fake and that the determination of its inauthenticity was attributable in part to suspicious provenance records, Individual-1 needed newly drafted provenance documents that would convince the potential buyer of GBK's authenticity. PEREDA informed Individual-1 that he would create a new fictitious provenance so that Individual-1 could successfully resell the forgery. PEREDA expected to receive a portion of the revenue of the sale of this fraudulent painting.

c. A few minutes later, PEREDA, using the 1176 Number, sent Individual-1 a message via WhatsApp containing images of a different painting, also purportedly painted by Basquiat, and a proposed provenance to be attributed to the fake GBK. PEREDA asked Individual-1 if this provenance would be acceptable for GBK. After Individual-1 asked PEREDA for additional information, PEREDA sent another document containing yet another false provenance for GBK, but this provenance stated the title of the painting was "Untitled." Individual-1 then sent a message asking, in sum and substance, "Is this for GBK? It says the title is Untitled." PEREDA then sent another false provenance document with the title now reading "GBK." In each of the provenances sent by PEREDA, the painting was ascribed to Jean-Michel Basquiat.

reviewed the iCloud account for Individual-2, who listed PEREDA as using the 1176 Number; I have spoken with both Individual-1 and Individual-2, who have informed me that PEREDA uses the 1176 Number; and I have found a listing on a website that is apparently an auction site in which an individual named "Angel Pereda" listed his telephone number as the 1176 Number, in or about August 2020.

8

WHEREFORE, the deponent respectfully requests that ANGEL PEREDA, a/k/a "Angel Luis Pereda Eguiluz," the defendant, be arrested, and imprisoned, or bailed, as the case may be.

s/Christopher McKeogh, by the Court, with permission

CHRISTOPHER McKEOGH

Special Agent

Federal Bureau of Investigation

Sworn to before me this
29th day of June 2021. by reliable electronic means



THE HONORABLE DEBRA FREEMAN
UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF NEW YORK